

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NUMBER 98006-26US</b>  <small>U.S. APPLICATION NO. If known, see 37 CFR 1.5)</small> <b>10/554149</b>
<b>INTERNATIONAL APPLICATION NO.</b> PCT/US04/12758	<b>INTERNATIONAL FILING DATE</b> 26 April 2004 (26.04.2004)	<b>PRIORITY DATE CLAIMED</b> 24 April 2004 (26.04.2003)
<b>TITLE OF: NONINVASIVE BLOOD ANALYSIS BY OPTICAL PROBING OF THE VEINS UNDER THE TONGUE</b>		
<b>APPLICANT(S) FOR DO/EO/US: Rinat O. ESENALIEV and Donald S. PROUGH</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371)(f). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))                         <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as file (35 U.S.C. 371(c)(2)).                         <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4)..</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).                         <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> has not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input checked="" type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</li> </ol>		

JC12 Rec'd PCT/PTC 21 OCT 2005

U.S. APPLICATION NO. (If known, see 37 CFR 1.51) <b>10/554149</b>		INTERNATIONAL APPLICATION NO. PCT/US04/12758		ATTORNEY DOCKET NUMBER 98006/26US	
20. Other items or information: PCT/ISA/220 (with cited references); PCT/IPEA/416; PCT/IPEA/402/ PCT/IPEA/401. <b>Please associate with application with Customer Number 23873.</b>					
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))		\$300		\$300.00	
22. <input checked="" type="checkbox"/> Examination fee (37 DCR 1.492(c))					
If the written opinion prepared by ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$0		\$200.00	
All other situations		\$200			
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))				\$100.00	
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$0			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100			
International Search Report prepared by ISA other than the US and provided to the Office or previously communicated to the US by the IB		\$400			
All other situations		\$500			
<b>Total of 21, 22 and 23 =</b>				<b>\$600.00</b>	
<input checked="" type="checkbox"/> Additional fee for specification and drawing filed in paper of 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				\$0.00	
Total sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
78-100 = 0		0		x \$250.00	
Surcharge of \$310.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national phase (37 CFR 1.492(h)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	35	15	x \$50.00	\$750.00	
Independent claims	3	0	x \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				x \$360.00	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$750.00</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$375.00	
<b>SUBTOTAL =</b>				<b>\$975.00</b>	
Prosecuting fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority data (37 CFR 1.492(f)).				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				<b>\$975.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$40.00	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,015.00</b>	
<b>Please associate with application with Customer Number 23873.</b>				Amount to be refunded:	
				Amount to be charged:	

10/554149

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- a. ☒ A check in the amount of \$ 1015 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ In the amount of \$ \_\_\_\_\_ to cover the above fees.
- c. ☒ The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Deposit Account No. 501518. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information of this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

  
SIGNATURERobert W. Strozier  
NAME34,024  
REGISTRATION NUMBER

10/554149

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- a. ☒ A check in the amount of \$ 1015 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ In the amount of \$ \_\_\_\_\_ to cover the above fees.
- c. ☒ The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Deposit Account No. 501518. A duplicate copy of this sheet is enclosed.
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NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revise 37 CFR 1.131 (a) or (b) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

  
SIGNATURE

Robert W. Strozier  
NAME

34,024  
REGISTRATION NUMBER

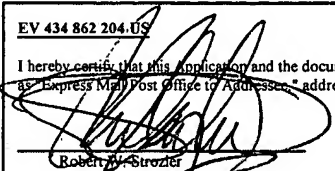
**ROBERT W. STROZIER, P.L.L.C.**

A FIRM SPECIALIZING IN INTELLECTUAL PROPERTY LAW INCLUDING  
PATENT, TRADEMARK, COPYRIGHT, TRADE SECRET LAW,  
UNFAIR COMPETITION AND RELATED MATTERS

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October 21, 2005

EV 434 862 204 US	CERTIFICATION UNDER 37 C.F.R. § 1.10	21 October 2005 Date of Deposit
I hereby certify that this Application and the documents referred to as enclosed therein are being deposited with the United States Postal Service in an envelope as "Express Mail Post Office to Address" addressed to:		
	Commissioner for Patents MS PCT P.O. Box 1450 Alexandria, VA 22313-1450	21 October 2005 Date of Signature

Honorable Commissioner for Patents  
MS NEW PATENT APPLICATION  
P.O. Box 14750  
Alexandria, VA 22313-1450

Attorney Docket No:  
**98006/26US**

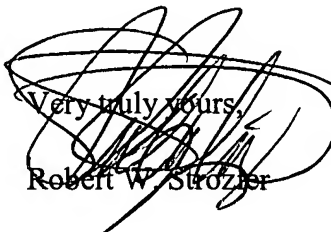
RE: US SN: 10/; FD: 21 October 2005  
PCT SN PCT/US04/12758; FD: 04/26/04  
Title: **NONINVASIVE BLOOD ANALYSIS BY OPTICAL PROBING OF  
THE VEINS UNDER THE TONGUE**  
Our Ref. No.: 98006/26US

Dear Sir/Madam:

This letter is a request to file a **Utility Patent Application** under 37 U.S.C. § 371 including:  
(1) FORM PTO-1390; (2) Preliminary Amendment; (3) Copy of ; (4) Copy of PCT/IPEA/416;  
(5) Copy of Demand as filed; (6) Copy of PCT/ISA/220; (7) Copy of ; (8) Cited References; (9)  
Declaration; (10) Copy of PCT Published Application WO200496082; (11) Assignment and  
(12) a Return Receipt Postcard.

Please address all correspondence in connection with this application to the address  
information associated with customer number:

**23873**

  
Very truly yours,  
Robert W. Strozier

RWS/sls

Enclosures:

FORM PTO-1390 PCT Nationalization under 35 USC 371  
Listed PCT Documents  
Return Self-Addressed Stamped Postcard

TRANSMITTAL LETTER TO THE  
UNITED STATES RECEIVING OFFICE

Date	26 April 2004
International Application No.	PCT/US2004/012758
Attorney Docket No.	98006/26PCT

I. Certification under 37 CFR 1.10 (if applicable)

EL 960 186 908 US
Express Mail mailing number

EL 960 186 908 US
Date of Deposit

I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of person mailing correspondence

Robert W. Strozier
Typed or printed name of person mailing correspondence

II. ☐ New International Application

TITLE	Noninvasive Blood Analysis By Optical Probing of the Veins Under the Tongue
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Earliest priority date (Day/Month/Year)
24 April 2003 (24.04.03)

**SCREENING DISCLOSURE INFORMATION:** In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☐ The invention disclosed was **not** made in the United States.
- B. ☐ There is no prior U.S. application relating to this invention.
- C. ☒ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claim for priority).

application no.	60/465,134	filed on	24 April 2003 (24.04.2003)
application no.		filed on	

- D. ☐ The present international application ☐ is identical ☐ contains less subject matter than that found in the prior U.S. application(s) identified in paragraph C.
- E. ☒ The present international application ☐ contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C. above. The additional subject matter is found on pages  and ☒ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 CFR 5.1. See 37 CFR 5.15

III. ☐ A Response to an Invitation from the RO/US. The following document(s) is (are) enclosed:

- A. ☐ A Request for An Extension of Time to File a Response
- B. ☐ A Power of Attorney (General or Regular)
- C. ☐ Replacement pages:

pages		of the request (PCT/RO/101)	pages		of the figures
pages		of the description	pages		of the abstract
pages		of the claims			

- D. ☐ Submission of Priority Documents

Priority document		Priority document	
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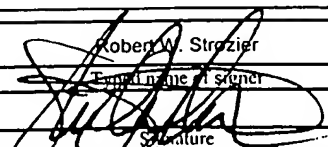
- E. ☐ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

IV. ☐ A Request for Rectification under PCT 91 ☐ A Petition ☐ A Sequence Listing Diskette

V. ☒ Other (please specify): PCT Chapter II Deman

The person  
signing this  
form is the:

<input type="checkbox"/> Applicant
<input checked="" type="checkbox"/> Attorney/Agent (Reg. No.) 34,024
<input type="checkbox"/> Common Representative

Robert W. Strozier

Signature